

9.0 PRIORITY ACTION APPEAL PROCESS

TSP service users may appeal a priority action if they have reason for disagreeing with it. Any priority level assignment, denial, revision, or revocation may be appealed to the TSP Program Office. However, close coordination between the TSP Program Office and service users throughout all steps of the TSP assignment process should minimize (or preclude) instances of appeals. See paragraph 8.3 for discussion of appeals by sponsors and sponsored service users.

The Manager, NCS has assigned responsibility for administering the TSP System on a day-to-day basis to the TSP Program Office. Since the TSP Program Office assigns priority levels (subject to final review by the FCC), the TSP Program Office is the first point of appeal. This chapter describes the appeal process.

9.1 APPEAL TO TSP PROGRAM OFFICE

Service users may appeal any priority action to the TSP Program Office within 30 days of notification of the action. The organization making the appeal should complete a TSP Action Appeal For Service Users (SF 317), hereinafter referred to as TSP Action Appeal, explaining the basis for the appeal and providing justification. Blank forms are contained in Appendix D.

The completed appeal form, along with copies of any relevant correspondence, should be submitted to the TSP Program Office. A copy of the appeal package, clearly marked as an information copy, must also be submitted to:

Federal Communications Commission
Chief, Domestic Service Branch
Common Carrier Bureau
Washington, D.C. 20554

The TSP Program Office will determine the disposition of the appeal and respond within 30 days of receipt.

If the service user is not satisfied with the TSP Program Office's decision, they may then escalate the appeal to the Manager, NCS. This escalation must be submitted within 30 days of the notice of action from the TSP Program Office on the initial appeal. The service user will submit a letter explaining the reason for escalating the appeal and attach the appeal package submitted to the TSP Program Office. The Manager, NCS will determine the disposition of the appeal and respond to the service user within 30 days of receipt.

9.2 APPEAL TO FCC

Service users may only appeal a priority action directly to the FCC after first submitting an appeal to the TSP Program Office and escalating the appeal to the Manager, NCS. This appeal must be submitted to the FCC within 30 days of notification of the decision made by the Manager, NCS on the initial appeal.

The service user will submit a letter to the FCC Common Carrier Bureau detailing the reasons for appealing the decision made by the Manager, NCS. Copies of the letter of appeal to the FCC will be submitted to the TSP Program Office, Manager, NCS, and any other parties directly involved. The FCC will not issue a public notice of an appeal. The FCC will provide notice of its decision on the appeal to all parties of record.

Following the FCC's decision, involved parties may file a response to the FCC within 20 days of the FCC's appeal determination. The organization that originally filed the appeal may then file replies to the FCC's decision within 10 days of the FCC's response. Additionally, the TSP Program Manager may appeal any FCC revision, approval, or disapproval to the FCC.